Previous references.

1905-6
(Sel. Rev.

Ex File No. 340702

Serial Nos. 1 to 9

Later references.

B (Jaura) 851-4. S.R. 83 p8
Jud (Dep) 037-11/12
Ex 1-18 (94+104)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B. for January

SUBJECT.

Toddy revenue of Jodi Gurattpur
taluk, Gooty division &c.

per Table of contents

P.J.O

Petition from Seshappa, Shanbhogue of Guruppanakatte
& 1.6.03. (H.D. 2987)

Complains that the Inamdar of the village clandestinely enjoys the Todda revenue of the village.

1) To the Excise Commr no. 6 — Ex. & 3.7.03
Forwards the above for report.

3) From Seshappa. petition & 8.1.1904.
Solicits early orders on his previous petition & requests that ~~that~~ his Inam lands & nissasi enjoyed by the Hoskote patel, be ordered to ~~to~~ be restored to him.

4) To the Excise Commr no. Ex. 580 & 26/04
Forwards 8(3) in contn & calls for an early rept.

5) From Seshappa. pet & 1.3.04
Reports that the date trees in the village were sold for Rs 4000/- in 1893-4 to 1896, that the amount is in deposit & that the Inamdar fraudulently received the amount of Rs 3000/- from the Taluq.

6) To the Ex Commr no 695 Ex. & 15/4/04
Forwards the above also (8(5)) in contn.

7) To the Petitioner no ~~H 696~~ — E. & 15/4/04
Informed him of the ~~above~~,

8) From the Excise Commr no. 55 & 16/05
Submits the report called for

9) To the Excise Commr no. H 4455 & 11/06.
Recognises the claim of the Inamdar to the tree rent

G. R. S. 11] 1905.

GENERAL AND REVENUE SECRETARIAT.

(C-P)

NOTES.

E File No. 34-02-03

FILE HEADING.

Lodge peremee of the Gurabbana-
kelliwillage, Gorihidaura Talak.

From Mandelong Serlabba of Gurabbanakelle

No. Redu Dated 16/6/03 Received 17.6.03

Diary. No. 2987 Enclos. 12 Spare Copies. Serial No. 1

BRIEF ABSTRACT OF LETTER.

Complains that the Recommendation
village clandestinely enjoys the Lodge
peremee of the village

NOTES AND ORDERS.

2 To the Queen Comp.
No 6-E. of the 3rd inst. 1903
Forwards the above petition
for his report
P.T.O

NOTES—First sheet.

MGCPB—30,000—17 2.05.

G.R.S. 12]
General and Revenue Secretariat.

Ee File No 34 of 1902

Serial No.

3 From Nanchang Resident
Rept. dt the 8th January 1904.
Solicits early orders on
his final petition & requests
that ~~the petitioners~~ his deceased
lands & mirasee which are
enjoyed by Horkale Patil be ordered
to be resumed to Sirur Taluk

4 To Nanchang Comp
No 4580. dt the 26th Feby 04.
Forwards the above
petition in Continuation & requests
the early submission of the report
already called for

5 From Resident
Rept. dt the 19th March 04
Reports that the Dale lands
in the above village ~~&~~ were
sold for Rs 4000 in 1893-95 1895,
& that the account is in default
& that the deceased fraudulently
received the amount of Rs 3000/-
from the Taluk

6 To Nanchang Comp
No 695-E-4 dt the 15th April 04

Note—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

Ee File No. 34 of 1902

Serial No.	
	Forwarding Sl nos above in Continuation
7	To Shanbhag Seshagiree No 696-Ee. of the 15th April 08. Intimating that his petitions are forwarded to the Ceded Comr for perusal
8	From the Ceded Comr No 55. of the 16th January 1909 Reports that there are 2 tracts of date puttle in the village & it would appear that one of them measuring about 4 Candies was leased by the Govt-toddy Contractor without any Consideration to the Inamdars; that the Puttamchetty of Comr. is of opinion that the Inamdars right to these trees is untenable & Gurrafonahalli is an Inam village of 120 Hoons granted to the forefathers of the present holder. The Rajmahipatties of Akshaya (806-7) & Sukla (1809-10)

Kolar Y & C.

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

R.S. 12]
General and Revenue Secretariat.

Ec File No. 34 of 1902

Serial No.

Shows the total extent of the village as 71 Candies 7 Colagas & 7½ Seers of which 2-14-13-7 was dale grove. These trees used to be tapped by the toddy Contractor but the Inamdar getting nothing therefor the revenue from it would be credited to Govt.

Reg Y

2. Subsequent to the year 1841 an extent of 3 Candies 15 Colagas & 11 Seers out of the area that was under cultivation, was overgrown with dale trees.

3. On a Complaint from the Inamdar that he lost an annual income of Rs 16 Pagodas which he was getting from this land (3 odd Candies of land) on the Score of land revenue owing to the overgrowth of dale trees he was permitted to get a Compensation of 16 Pagodas per annum from the toddy Contractors He was also receiving this amount

4 & V

4. In 1871-72 this village was surveyed & settled by the Inam Department. It was there

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

Eq File No. 34 of 1902

Serial No.

found that the date grove in question (14.13.7) was within the village limits. As regards toddy revenue it was decided that the Zamindar was not entitled to the "Abkari" or Excise revenue, which was reserved to Govt & that "the trees in the Zamin village should be excluded "from the Sircar Farms & that the "Zamindars will be at liberty to "let them to the Contractor, pro-vided they do not vend the liquor as per Pro. no 16 of the 13th Feb. 71

Hog U -

P,

Hog I 1

The above order has also been communicated to the Zamindar (Cendl. no 623 of 24.3.76)

5 Somewhere about 1874-75 the Zamindar tried to get some money from the toddy Contractor for the use of his trees on the 14.13.7 piece of land, against which the Contractor protested. This was referred to the Division Supdt. who ordered on the 21st June 77 that it should be disposed of in accordance

Hog R

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

Serial No.

Flog E

with the late Chief Comrs Proc. No 12917-36B. & the 20 March 1877 wherein prides that Alekam & Sayer if not expressly authorized in the Inam Samad should be presumed but &c

6. It is not clear what effect was given to the above order & what revenue the Inamdar has received every year from the Contractor subsequent to the issue of the above order

7 The Inamdar has, in his statement made on 6/5/02 before the Asstt Comr Mr Syed Amin Hussain, desired that he leased out his trees to the Contractors for Rs 250 in 1891-92 & for Rs 300 in 1892-93 But he has produced no document in support of this statement.

8. Shanbhog Seshappa of the village complained both to the Acting Comr & Govt that the Inamdar clandestinely enjoys the Toddy revenue from the Hedod Candies of land in question

MGCPB—20,900—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

Eg File No. 34 of 1902

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that the inamdar is not entitled to it as it has not been conceded to him by Sanad & as he has not enjoyed it ever since the grant of the village & that the above piece of land belongs to Govt

9 Mr Geo. Drummond the Deputy Divisional Officer who investigated the matter is of opinion that the entries in the Ajmaish patte the fact of the inamdar not having enjoyed derived any sort of benefit from the 14 & odd candies of land in question, the terms of the Inam Settlement & the Division Supdt's order of the 21st June 1877 distinctly the inamdar to the Govt's presumption & that in fact this area of land has been presumed to Govt.

He lays much stress upon the Govt's order dtd 26/9/76 in support of his friend's. His order was not a final one - It was superceded by the Div Supdt's order of 21st June 1877. He professes a

Note—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

Eg File No. 34 of 1902

Serial No.

Before any thing can be said of the Lords previous rulings for orders to be passed in this case

The facts of the case have been fully stated in the office note. The question for decision is whether the Inamdar is entitled to the rent in respect of the date trees measuring fourteen cubits and odd

2. A perusal of the petitions submitted by Shanbogue Seshappa and the reports of the Excise Assistant Commissioner and the Deputy Commissioner who support his allegations show that their conclusions were mainly based on one single fact viz the exclusion of others that have no less important bearing on the question at issue viz the non-enjoyment of the tree rent by the Inamdar in times past The Shanbogue assumes that the land on which the trees are situated must have been reserved by government as the Inamdar

MGCPB—20,000—1-11-04.

Serial No.

did not enjoy the tirvent.

3. Such a conclusion appears unwarranted first because, there is nothing to show that either in the original samasd or in the subsequent orders confirming the grant of the Inam ~~that~~ such a reservation was made. And there is not a single document in this file from which it could be fairly concluded that the land did not belong to the Inamdar.

4. Coming now to the facts of the case — subsequent to the year 1841 an extent of land measuring three candies and odd was overgrown with date trees and the Inamdar was allowed a compensation therefor in 1861 From the records it appears that ~~the Inamdar~~ from about the year 1864 the Inamdar was endeavouring to obtain further compensation for trees tapped on other portions of his land

5. There was a survey and settlement of the village in 1871-72 and the Assistant Inam Commissioner Mr. V. N. Narasimha Iyengar who conducted

G.R.S. 12]
General and Revenue Secretariat.

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Serial No.

May 11

the engineer suggested that the date trees in the Inam village may be excluded from the Sircar farm and the Inamdar permitted to let them with contracts provided they do not vend the liquor as per Proceedings of the Inam Com No. 16 dated the 13th February 1871 this was approved by the Superintendent of Inam Settlements & Col Robert Cole who further confirmed the quit-rent proposed by the Assistant Inam Com subject to the reservation of certain items of revenue including abkari

P1

6. About four years later the Inamdar also complained of the contractors drawing toddy from the trees without paying him any compensation. The Deputy Com. Mr Krishna Iyengar refused to grant him compensation on the ground that the compensation granted for the trees situated in the strip of land measuring three cubits & odd was intended to make up the loss sustained by the over-growth of the trees & that the same reason did not hold good in the present case & that the Inamdar was not in

May 7

MGCPB—20,000—1-11-04.

Serial No.

Hog S

entitled to the produce of the trees. The order of the H. H. Dewanji was merely to the same effect As the land containing the date grove was excluded in the measurement of the cultivable area upon which quit-rent was levied these officers thought that the Inamdar was not entitled to compensation.

Hog R

7. In reporting upon the case the Divisional Commissioner Col. Frank W. Ricketts observed that "the title deed of the Inam department conceded all the land within the boundary of the village to the Inamdar that an extent of ~~47~~ seventeen candies and odd has been deducted for village site &c and of this 16 candies and odd is overgrown with date trees the produce of which was ceded to Government, and that from the original grants granted by Hyder Ali Tippu Sultan and H. H. the late Maharaja it would appear that the village has been given to the Inamdar as Umbalikaram and nothing expressly said about the date trees or any other produce". On a further inquiry

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General and Revenue Secretariat.

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it was elicited that "encroachment of the Todas lines in dispute was made by the Inamdar with the reservation that he could not sell the Toda himself and thereupon the Divisional Commissioner decided in June 1877 that as it was clear that the Inamdar had not been in the enjoyment of the Toda revenue from the land in question he came within the scope of the Chief Commissioner's Proceedings No. 12917-Rev 363 dated the 20th March 1877

8. We are now in a position to examine how far the objections stated by the Sheristadar Asst. Collr. in his letter No. 1 & 10.6.05 & the D. Collr. held good in the light of the above facts.

9. It may be pointed out at the outset that though in para 4 of his letter the Sheristadar Asst. Collr. states that "up to the date of the Inam Settlement (1871-72) the Inamdars had neither asserted any right or claim to, nor been in the enjoyment of, any benefit derived from the Toda lines forming an this extensive tract of 130 acres" yet later on in para 5

Note—Contn. sheet.

G.R.S. 12]
General and Revenue Secretariat.

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Serial No.

he asserts that in September 1864 a petition was presented by the Inamdar praying for further compensation for trees tapped in other parts of his land. These statements are irreconcilable.

10. If as alleged by the Sham. boys the land in question did not belong to the Inamdar and was expressly reserved by Government a stipulation to that effect would have been laid down either in the samanad or the sub orders confirming the grant, the exclusion of the land from the inam should have been too patent a fact for the Inamdar's attempt of putting forward a claim, and the officers who passed orders on his petitions from time to time would have prominently referred to it. But such is not the case. There are no documentary evidences to prove that the land was reserved by Government. The claim for compensation was preferred on the right of the ownership of the land. The ownership of the land was not questioned by the officers who investigated the claim, who

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G.P.S. 12]
General and Revenue Secretariat.

& File No. 34 of 1902

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~~Collector~~ rejected the Inamdars petitions on other considerations.

11. The Proceedings quoted by Col. Robert Cole and Col. Deane viz— No. 16 of 13.2.1871 and 1207 of 2.3.77 distinctly lay down that the reservation of the right of abkari revenue by Government does not preclude the Inamdars from leasing out their dale trees to Government contractors. The right of the Inamdars to the rent has in such cases been distinctly recognized. The decisions of the Inam Superintendent and the Divisional Comr. if properly read and understood are neither inconsistent with each other nor prejudicial to the interests of the Inamdar.

P, R & Q

12. The principle upon which the Inamdar becomes entitled to the rent is clearly stated in para 2 of G.O. No. 1969-78 dated the 2nd December 87 which runs as follows:—

Reg L

"The toddy revenue consists of two distinct items namely:—(1) an excise duty and (2) a rent for toddy trees. The excise duty is paid for the privilege of selling toddy which is an excisable

MGCPB—50,000—17-2-03

Serial No.

article under a special law. The rent is in the nature of a payment to the land-lord as the price of the produce of the trees standing on his land. It is not possible to recognise that any Inamdar has any right of the kind only unless it can be shewn that the same is vested in him by the express terms of the sanad or other document issued by competent authority. But every Inamdar is entitled to a rent for the use by the government contractor of the toddy trees in his land without reference to his toddy revenue under his sanad" The application of this rule gives the Inamdar a claim to the rent in respect of the trees in the land in question

13. There is one other circumstance which deserves notice. As the Inamdar was granted compensation for the price of land measuring 3 candies and was denied the same for the other portion of the land measuring 14 candies, this has naturally led to the impression that the latter was specially reserved by government. But the question

MGCPB—50,000—17-2-05

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arises — How and why was the larger piece of land containing a date tree differentiated from the smaller? The question appears to me to be pertinent because, neither the Deputy Commissioner who held that the Inamdar was not entitled to compensation nor the Inam Superintendent and the Divisional Court who held that the Abkari revenue should be reserved by Government arrived at their decisions on the ground that the land did not belong to the Inamdar. Nor is there any direct or circumstantial evidence to show that the circumstances under which a date tree sprung up in the larger extent of land was different from that in the smaller for which the Inamdar was paid compensation. On the other hand there is reason to believe that they were similar, for, the Assistant Inam Com who conducted the Settlement in 1871 states in reference to the land in question, that "the discrepancy in the matter of wet land between the old and present measurements is said to be due to much of the land being overgrown with date

Note—Contn. sheet.

Serial No.

trees

14. The only question now that remains to be answered is — why, if the ownership of the land was not doubted, or if the Inamdars was entitled to compensation, did he not enjoy the rent or claim compensation earlier. The only explanation under the circumstances is that the Inamdars slept over their rights and omitted to claim what was their due. The different items comprising the Excise Revenue and the right for ground or tree rent vested in the owner of the land were either not well defined or understood. As the claim of the Inamdars to tree rent was gradually recognized by Government and rules were issued from time to time for the settlement of these claims the Inamdars naturally asserted their rights which before remained dormant.

15. In these circumstances a resettlement of the village appears unnecessary and the claim of the Inamdars to tree rent may be recognized by Government

asked they for order.

994
20-12-05.

The note is full
Submitted to the Dewan Saheb thro the
Councillor for orders 20/12/05.

18-12-05

G.R.S. 12]
General and Revenue Secretariat.

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The Agent Resident is full & I agree that the land in question forms part of the Luam Village and as such is the property of the Luamdan when the land belongs to him it follows that the trees in it likewise belong to him. What he is not entitled to is cocoa revenue and not the rent. To the latter he has a claim like every other unprivileged Luamdan and every occupant of whose land there are ~~bodily~~ date trees His conclusion is not consistent with the Samoan or the Luam settlement or the correspondence which took place shortly after that settlement. The Chamberlain is evidently in error in his remarks touching the Luamdan, & hence his complaint which is more vexatious than valid.

22/12/05

10444
23.12.05

22/12/1905

22.12.05

22/12/05.

G.R.S. 12]
General and Revenue Secretariat.

File No. 34 of 1902-03

Serial No.

10429

Hon'ble Secretary's note is very lucid & he has argued the case correctly I agree with the conclusions & the opinion of the Asstt Secy

25-XII-05 Hd

Draft accd
26-12-05

Submitted with a draft by
KS.
29.12.05.

H
30.12.05

Passed
3.1.1906

H
3-1-06

9 To Receive Cover.
No 7E 4455. & the 11th January 06 observations thereon. for reasons stated, Govt. consider that the finding of the investigating Officer Mr Geo. Dunning is erroneous and in consequence with the recommendation of the Excise Comr. they are pleased to reassume the charge of the mandate to the Excise

B

MGCPB—20,000—1-11-04.

Transferred to Secy. in Revenue Dept for disposal

Reference

22
25-6-03

872 R. Secy 15-6-03.

185 & 576 of 30/6/03

No. of Petition 2987 Vio

Name of Petitioner Seshappa Sanbhogue

Village Guruppanahalli

Taluk Hosoor Hobli Goribidnur

District Kolar

Date of Arzi } -6-03

Date of Receipt 17 }

Date of Disposal

No. of Enclosure Twelve

25-6-03

85-2.

27-6-03

Read 5-P.M. 27/6/03

Abstract

This is a memorial to His Highness complaining that no equitable orders were passed on his petns. submitted to the Dy Comr. and to Govt., regarding the income of Sendi Groves of the Inam village, Guruppanahalli, being unjustly enjoyed by the Inamdar.

[The petr. seems to have submitted a petn. in the matter to this office on 22-8-98 and to have been given a rendt. No. 452 & 1-9-98.]

Received 29/6/03

Sub

This is addressed to H.H. the Maharaja & received in this office for disposal

The previous petition No 452 & 22-8-98 from Petr was sent to the Dy Comr Kolar for disposal -

This seem to be matter to be dealt in the Revenue Branch

May this be transferred to the Revenue Branch for disposal -

29-6-03

Secy Revenue Dept 1-7-03

MGCPB—5,000—10-11-02

The facts purport as follows:—

The village Gurappanalli was granted Inam to one Nakali Timmappa, who was entitled to the enjoyment of only "320 "Kanti Rai Varahas" of the Income of the village, and who had no right to claim any more income arising in the Inam village. But the present Inamdar desirous of acquiring claim to the income ~~of~~ on Sendi Groves, gained ~~the~~ favour of the Inam Settlement Officer Mr. Narasimha Iyengar and obtained some records favourable to him.

There was a dispute in 1877 between the Sendi Contractor and the Inamdar as to the right of claiming the income on the Sendi Groves in the Inam village, and the matter was referred

~~in 1897~~
to the Dist authorities
who decided that the
Inamdar of the village
had no right to the
income of the Sendr
Groves and that he must
not put in his claims
thereto Accordingly he
was not given any share
in the income of the
Sendr Groves until 1897.

In the meantime
he made the Excise
officers believe that
he had right to enjoy
the Sendr Income,

On the strength of
the records he had in
the meantime obtained
in his favour, the
Inamdar made the
Excise officer believe
that he had some right
to enjoy the income of

Sendi Sowes. and
managed to obtain order
permitting him to
receive two annas for
every tree - from the Contractors.

When, in pursuance
of the Govt. Proc. No.
2073 - 83 A.B. 166 - 92 of
2-8-1901, the Inamdar
was served notice, he
gave false statement
that the originals of Sanads
granted to him in connection
with the Devan village
had been lost, and that

was illegally receiving
some amount from
Govt. and from the Contractors
for the Sendi Sowes; and
he has been unjustly enjoying
more than Rs 500/- every
year in the income of
Sendi Sowes in his Inam
village.

Prays that enquiry may
made and equitable
order passed on the matter.

1/12

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
DATE 17-9-1963

12 enclosures

10-4-15

29 87

ಅಂಗಡಿಯವರು ಸಾಮಾನುಗಳನ್ನು ಕೊಡಲು ಒಪ್ಪಿಕೊಂಡಿದ್ದರು.

ਸੇਵਾ ਵਿਖੇ ਸ਼੍ਰੀਮਾਨ ਜੀ ਮਹਾਰਾਜਾ ਸਾਹਿਬ ਜੀ ਦੀ ਸੇਵਾ ਵਿਚ ਹਾਜ਼ਰ ਹੋਵੇ

ਸਰਕਾਰ ਜੀ ਕਿਰਪਾ ਕਰਕੇ ਮੇਰੀ ਅਰਜ਼ੀ ਪੜ੍ਹ ਕੇ ਮੇਰੇ ਉਤੇ ਮਿਹਰਬਾਨੀ ਕਰਨ ਜੀ ਮੈਂ ਸਰਕਾਰ ਜੀ ਦੀ ਸੇਵਾ ਵਿਚ ਹਾਜ਼ਰ ਹੋਇਆ ਸੀ ਤੇ ਸਰਕਾਰ ਜੀ ਨੇ ਮੈਨੂੰ ਹੁਕਮ ਕੀਤਾ ਸੀ ਕਿ ਤੂੰ ਸਾਡੇ ਨਾਲ ਚਲ ਤੇ ਮੈਂ ਸਰਕਾਰ ਜੀ ਦੇ ਨਾਲ ਚਲ ਪਿ

No 6.

FAISE SUPERVISOR
FORBIDDEN RE

12-3-902

ನಂ. 452 6

ಅರ್ಜೀದಾರ ಶೇಂಬಿಬಿದನೂರ್ತಾಲ್ಲೂ

ಇರುವ ಶಿವಗೂ ಶಿಷ್ಟಪ ನಿ ಗೆ ಇಂತ

ದಿವಾನ್ ಕಛೇರಿಯಿಂದ.

ಕು ಗುರಪ್ಪನ ಮಳ್ಳಿ ಯು 1/7 - 3

ಖರಸ್ ಹುಕುಂ

ನೀನು ಹುಜೂರಿಗೆ ಗುಜರಾಯಿಸಿದ 22 8 - 98 ನೇ ಮರುಮಿನ ಅರ್ಜಿ

ಯನ್ನು ಕೌಲಾ ಡಿಪ್ಪಿಕ್ಷು ಡೆಪ್ಯೂಟಿಕೆ- ಕಾರ್ಯದರ್ಶಿ - - - ಬಳಿಗೆ ಕಳುಹಿಸಿದ್ದೆ

ಒತಾರೀಖು 1 ನೇ ಮಾಹೆ ಸಿಕ್ಕಿದೂ ಕ್ರಿ ಸನ್ 189 8 ನೇ ಇಸವಿ ದರಜಾಗಾ

ಬೆಂಗಳೂರು.

By Order

for Chief Secretary.

ನಂಬರ್ 847

ರಶೀದು- [illegible] (ಪೋಸ್ಟ್ಆಫೀಸಿನಲ್ಲಿ
[illegible] ವಿಳಾಸವಿರುವ
[illegible] ಸಲಿಕೆಯಾಗುವ
ಒಂದು [illegible]
ತೆಗದು ಕೊಳ್ಳಲ್ಪಟ್ಟಿತು.

(ಹಾಸಲು ಸಲಿಕೆಯಾದ ಬಾಂಗಿ, ಯಾ - ಮಣಿಯಾರ್ಡರು ವಿಷಯದಲ್ಲಿ, ಕೇರಿಸು) ಕೆಳಗೆ ವಿವರಿಸಿದಮೇರೆ ಅಕ್ಷರದಲ್ಲಿ _____
_____ ರೂಪಾಯಿ ಸಹಿತ.

ಬಾಂಗಿಯಾದರೆ-			ಮೆಣಿಯಾರ್ಡರಾದರೆ-		
ರೇಟುಗಳಾಗಿ ತೂಕ.	ನಂಬರ್		ಕ್ರಯ (ಯಾ - - ಮೊಬಲಗು).	ರೂ.	ಆ.
ಮುಂದ್ಗಾಗಿ ತೀರ್ವಿಯಾಡ ಹಾಸಲು.	ರೂ.	ಆ.	ಕಮ್ಮಿಷನ್.	,,	,,

ಬ್ರಾಂಚ್ ಪೋಸ್ಟಾಫೀಸಿನ ಕಾರಿಯಾ ಮುಖೆ.

HOSUR BRANCH POST OFFICE

ಬ್ರಾಂಚ್ ಪೋಸ್ಟ್ ಮಾ

No. 143

If a parcel { Weight (in rates) when not insured. } _____ (In words.)

If a parcel { Postage (including registration fee) } Rs. | As.

To be filled up only in the case of Insured articles.

Insured for Rs. (in figures) _____

(In words) _____

Insurance fee Rs. _____ As. _____

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10

RECEIPT FOR SENDER.

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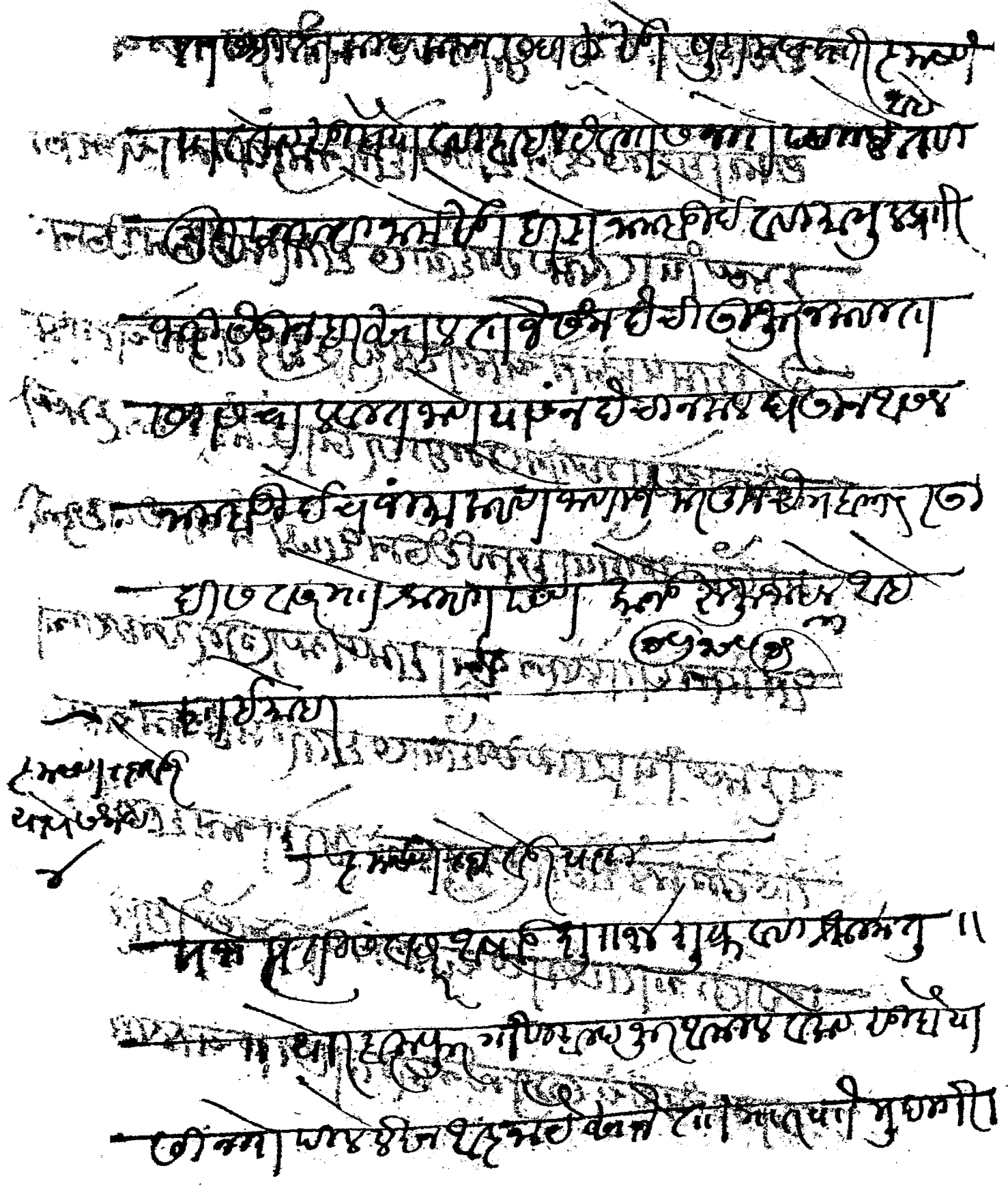

పూజ్యశ్రీ వేదవ్యాసశర్మగారికి నమస్కారములు -

మీ పాదపద్మములకు నమస్కారములు. మీ యొక్క దయవలన నేను క్షేమముగా ఉన్నాను. మీరు కూడా క్షేమముగా ఉన్నారని తలుస్తాను. మీ యొక్క ఆశీర్వాదములు మరియు శుభాకాంక్షలు నిమ్మకాయల వారి నిమ్మతోటలో ఉదయం 8 గంటలకు 120 మంది విద్యార్థులు సమక్షంలో గురుపూజోత్సవ కార్యక్రమం జరిగినది. ఈ కార్యక్రమంలో ఉపాధ్యాయులు, విద్యార్థులు, తల్లిదండ్రులు పాల్గొన్నారు

| | | |

Ex 7.34 of 98 (2) 6
No 4x710-04 Encl 3
dy 3rd July 1903

Memo

Memorial recd
No 2987/Ex.576 dy 30/6/03
from Shanbhag
Seshappa of
Gunabhanahalli
Goribidnur Taluk,
Kolar Dist, addressed
to His Highness the
Maharaja of Mysore,
complaining, in
effect the un-
authorized enjoy-
ment of the toddy
produce of the
said village by
the Inamdars, is
forwarded together
with its enclosures
to the Excise Comr

in Myrone, for
acc card / prepaid.

B.O.

7/7/03

Torrens

Bill
7/7/03

Ex 342 of 23/2/04. Ex-754

Ex-734 1904 (3)

No. 1822

Name of Petitioner Shankaraya Shesharaya

Village Inam Gurrabbanahalli

Taluk Goribedanoor

District Kolar

Date of Arzi 8/1/04

Date of Receipt 12/2/04

Date of Disposal

No. of Enclosure 2

Addressed to H. H. the Maharaja

ABSTRACT

Remainder to his application of 6/5/03 regarding toddy trees belonging to Govt. in the above Inam village

Prays that petitioner's Inam lands and meraee which are enjoyed by Hosahole Patel Subbarayan who is helpful the Inamdar in the matter of the Land Commissioner ordered the same restored to the petr.

Copies of Govt to the Inamdar and of order to the Amildar are enclosed

16/2/04

MGCPB—5,000—10-11-02

Copy of 2461 of 10/2/04 transferring petn to the Secretary to the Govt of Mysore Rev Dept in continuation of this Office No 2482 of 10/6/03

Before,

I Sd E. Narasimhiah
Private Secretary

Reference early

17.2.04

2987 of 03-04 dtd 29-6-03 of Rev Dept

18/2

Transferred to the Excise Branch in connection

18/2/04

20-2-04

Recd. 23/2/04 through the L. B. Branch.

Mysore Government
Revenue Secretariat
Petition Department
Regd No 1822
Date 12-2-04

1822

2

3

4

5

6

7

8

ನಿಗದಿಪಡಿಸಿ
2338

ನಿಗದಿಪಡಿಸಿರುವ ಸಮಯಕ್ಕೆ ಸರಿಯಾಗಿ ಹಾಜರಾಗಲು ತಪ್ಪಿದಲ್ಲಿ ಅಥವಾ ಹಾಜರಾಗಲು ನಿರಾಕರಿಸಿದಲ್ಲಿ ಅಥವಾ ಹಾಜರಾಗಿ ಸಾಕ್ಷ್ಯ ನುಡಿಯಲು ನಿರಾಕರಿಸಿದಲ್ಲಿ ಅಥವಾ ಸಾಕ್ಷ್ಯ ನುಡಿಯುವಾಗ ಸುಳ್ಳು ಹೇಳಿದಲ್ಲಿ ಅಥವಾ ಸಾಕ್ಷ್ಯ ನುಡಿಯುವಾಗ ಸತ್ಯವೆಂದು ತಿಳಿದಿರುವ ಅಥವಾ ಸತ್ಯವೆಂದು ನಂಬಿರುವ ಯಾವುದೇ ಸಂಗತಿಯನ್ನು ಹೇಳದಿದ್

8-1-93

8-1-92

Mysore Government,
General & Revenue Secretariat.

Office Draft. (Docket.)

Ex 734-02-8 (4)

To

The Excise Commr
in Mysore.

Date of passing the draft

Date of despatch 26/2/04

Regd. No. 580

File No. & date (if any) Ex 710-01

No. of Encls. 2.

Secn Cl
27-2-04

In continuation of this office memo no 6 / Ex 710 01, of 3rd July 03, forwarding for report a petn from Seshappa of Gunjappanahalli village, Goribidnur Tk, complaining of the unauthorized ~~enjoy~~ enjoyment by the Inamdar of the date Inam belonging to Government in ~~Revenue~~ of the said village by the ~~inamdar~~, has the honour to forward

Another petn from the said Seshappa, addressed to H.H. the Maharaja stating that his inam lands and miraee are enjoyed by the Patel Lubraya of Hosdole, who is helping the inamdar in his unauthorized enjoyment of toddy revenue and praying for the restoration to him of his inam lands and miraee.

Y

stating that the inamdar has sent [illegible] the ryots to a third party and surreptitiously sold date leaves etc, and to request that the report called for may be expedited

B.O.
M.
24/2/04 Secy.

B.O.

for Offg Secy.

True
24/2/04

Petn. No. 1552 of 19-3-02 to H.H. is transferred to the Secy. to the Govt. in the Rev. & Genl. Depts. for disposal.

Sd Ennaconochie

21-3-02

Ex 397 of 9/4/04.

Ex 734 of 1903

(5)

No. ~~2201~~ 2201

Name of Petitioner Seshappa Sambhog

Village Goorapanahalli

Taluk Goribidnur

District Kolar

Date of Arzi 19-3-02

Date of Receipt 23

Date of Disposal

No. of Enclosure nil

Transferred to the Excise Branch

21 3 02

Recd 9/4/04.

ABSTRACT

Memorial to H.H. representing that the date trees in the Sarva Manya village of Goorapanahalli Goribidnur Taluk were sold for Rs. 4000 in 1893-4-5 and 1896, and the amount is in deposit in the Sy. treasury. But the godidar of the village claimed the income of date trees from

1897 and fraudulently
received the said amount
of Rs. 3000/- The petitioner's
representation of the matter
was not heard by the
local authorities.

Hence he submits this
memorial praying for
enquiry into the matter.

Sd/-

5/1/07

No 3

10-4-05 1.5352

Mysore Government
General and Revenue Department
Petition Department
Reg'd No 162901 Rajya
Date 23-3-1904

His Highness of the
Maha Raja of Mysore

2201

Most Honored and Respected Sir.

The humble petition of Lachappa, shanbhagar of Goorappanahally, Hosur Hobli, Gowribidanur Taluk, Kolar District respectfully sheweth as follows:-

The said Goorappanahalli is a revenue village. Over the whole extent of the village the Sannad is granted to the petitioner for a portion of land only for pagodas.

In the year 1897-98 a certain complaint by the [illegible] of date there was lodged before the Commissioner of the Bangalore Division. It was then settled by the Officers that the Canderu should belong to the Government.

Besides this the Government in the year 1884-85 (of S.E.) or "Appunamalay" there in the [illegible] of the date there without any [illegible] It was then on my complaint a record was made by the Tahsildar in this case and a fine of Rs 250 was [illegible]

to prohibit the Goondaro fr
into the date-trees.

The date-trees remained in
possession of the Government till
1897. In the year 1897 the goondaro
presented a certain petition to the Special
Commissioner. The order no 21
26.7.97
on the petition of the goondaro was
passed. In this order they humbly
humbly sot the permission to the
watch over the date trees.
These date trees were sold by
public auction by the Special Dept
during the years 1893, 94, 95, 96. The
realized amount was Rs 6000/-
The goondaro now claim the
said amount as if it is their own
This amount is under deposits
in the Treasury. From the 1897
the goondaro fraudulently deceived
the Government and received
the Rs 3000/- the years during the
past years --

I made several com
to the Taluk, District and also
the Diwan of Mysore. My
petitions were not considered

I therefore most respectfully pray that Your Highness
will be
pleased to keep the complaint
and the goondaro in possession
and settle the matter by perusing
all the records from the beginning

For which act of kindness
I shall in duty bound ever pray

I beg to remain
Most Honored & respected Sir
Your most Obedient & humble
servant

14/3/98 [illegible]

Ex-734-02-8C (6)

Office Draft. (Docket.)

Mysore Government,
General & Revenue Secretariat.

To

The Excise Commissioner
in Mysore.

Date of passing the draft

Date of despatch 15/4/04

Regd. No. 695.

File No. & date (if any) ~~Ex710 01~~

No. of Encls. 1.

In continuation of this office memo. no. 6/Ex710-01 dy 3/7/03 and docket no 580/Ex710 01 dy 26/2/04, forwarding for report 2 petitions from Seshappa of Gurapanahalli, complaining ~~against~~ the unauthorized enjoyment by the Dramdars of the date vanam belonging to Government, has the honour to forward another petition no 2201/Ex 392 dy 1.3.04 - 9.4.04 from the said Seshappa stating

that the Inamdars have fraudulently received the money that was not due to them and to request that the report already called for may be submitted at a very early date as the matter is pending disposal for a long time.

By Order

for Secy.

M.
13.4.'04

Ex 734-02 & (7)

No. 696 / Ex 1601 Mysore Government,
~~MYSORE DEWAN'S OFFICE,~~
General & Revenue Department
~~PETITION~~ Excise DEPARTMENT,

The 13th April 1904.

ENDORSEMENT GRANTED TO Shambhog Seshappa

of Gnapanahalli, Goribidnur Taluk, Kolar Dt.

in reply to his. Petition Registered No. 2201 / Ex 392 dated 1-3 / 9-4 04.

Petitioner is informed that his petition addressed to His Highness the Maharaja has been forwarded to the Excise Commr. in Mysore for an early report.

2 drafts.

By Order,

for Secretary

D 752

Excise Commissioner's office.

Dated Bangalore 13th Aug: 03.

No. 55 with 1 brief file of papers.

Ex-734-02 8(8) - 17

From,

P. N. Purnaiya Esquire BA
Excise Commissioner
in Mysore.

To,

B. K. Venkataravadiengar
Esquire.
Secretary to the Government
of His Highness the Maharaj
of Mysore
General and Revenue Depts

Sir,

I have the honor to acknow-
-ledge the receipt of your Memo
No. 6 / Ex. F. 1-01 dated 3rd July 1903 for-
-warding for report a memorial
from Shanbhog Sheshapa of
Gurappanahalli Goribidanur
Taluk, complaining against the
unauthorized enjoyment of the
Toddy revenue of the said villag
by

by the Inamdars, and in reply to submit the entire record received with the Kolar deputy Commissioner's No: C 566 dated 22nd April 1905.

2. The petitioner urges that the Inamdars were granted a village of 120 Pagodas, that they are not entitled to anything more and that the lands on which date toddy trees stand do not belong to them.

3. This village was alienated by Nawab Hyder Alikhan. The original Sanad is not available. As per record of Inam Settlement, it would appear that he ordered that a village of 100 Pagodas be given to one Timmia and his people.

and

and that the village of Gura-
-panahally has accordingly
been in their enjoyment. This
enjoyment was confirmed and
ordered to be continued by
H. H. the late Maharaja
KrishnaRaja Wadeyar Bahadu

4. The Inam Superinten-
-dent has confirmed the gra
reserving Sayar and Abkari
to Government.

5. There are two tracts
of date jungle in the village
and it would appear that
one of them measuring about
14 Khandies was being enjoyed
by the Government Toddy
Contractor without paying
any compensation to the
Inamdar

Inamdars. Mr: Puttanna Chetty is "of opinion that the Inam-dars' claim to the trees is quite untenable and propo-ses that a survey of the land and the groves be ordered, the actual extent of grant be properly demarcated and defined and the other portion not granted be resumed."

6. This proposal apparently re-opens the question of the own-ership of the date toddy groves in the village which has been long ago settled by the Inam and Survey departments and about which there was no dispute at the time either from the petitioner or any one else.

7. Though the documents relied on by the Inam Department do not define the boundaries of the grant, yet there is nothing to show that any portion of the village was reserved to Government.

8. When the right of the Inamdars to the toddy trees on the area of 14 Khandies was questioned and the matter came before the then Superintendent of the late Nandidurg Division, he ordered that it should be disposed of as per the late Chief Commissioner's Proceedings of 20th March 1877. Vide his order dated 21st June 1877.

9. The question which should now be settled is what are the rights of the Inamdars to the toddy revenue of their village under Government Proceedings of 2nd August 1902, and the Deputy Commissioner in his No. 376 dated 14th June last says that it has not yet been settled.

10. There has been a Gôl Mojani by the Survey Department and the area in question is within the boundary. The Inamdars' enjoyment of the entire area of village is not questioned. The Shanbhogue's present complaint seems to be that the area of 14 Khandis should be excluded from the village area. This point cannot affect

affect the right of the occu-
-pant for tree rent of the
Toddy trees thereupon, be the
tenancy an Inam one or
one which may have to pay
quit rent. This point will
have to be separately de-
-termined if Government
deems it necessary to reopen
investigation of the Survey
delimitation of the Inam.

I have the honor to be,
Sir,
Your most obedient Servant
M Krishna
Excise Commissioner
in Mysore.

G.R.S. 28]

Excise. File No. 34-02

Serial No. 9.

Diary No. of letter replied to 752

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Sep: Rev:)

, *the* 11 January 1906

Date of issue do

Signed by W Sabhyaraj Urs

READ.—

Petition, no: 2987 of the 1.6.03, from Sanbaf Seshappa of Gurupanhalli in the Gorbidanur Taluk, complaining that the Inamdar of Gurupanhalli clandestinely enjoys the toddy revenue of that village.

~~ORDER THEREON.—~~No.

2) Letter no: 55 of the 16.8.05, from the Excise Cons^r, submitting with his opinion the record of Enquiry regarding the claim of the Inamdar to the toddy-revenue of that village.

over

to be printed.

SUBJECT

Order thereon: — No. K4455
Ex. 7 34-02-9
8/11-1-06

The Inam village of Gurupanhalli was granted by Hyder Ali & Tippu Sultan and subsequently confirmed by H.H. the late Maharaja Krishna-raja Wadiar Bahadur. The original Sanad & the subsequent orders confirming the Inam did not make any specific mention of the abkari-revenue having been conceded to the grantee.

2) The Peymaishee patties of Akshaya (1806-7) and Sukla (1809-10) show that the extent of the Inam village was 71 Candies & odd, inclusive of a date-grove covering an extent of 14 Candies & odd. The date-trees on this strip of land were all along being tapped by the Govt: Contractors, without paying any compensation being paid to the Inamdars.

3) Subsequent to the year 1841, an extent of 3 Candies & odd of cultivable land became also overgrown

with date trees, in consequence of which the Inamdar sustained a loss of 16 pagodas annually in the shape of revenue. In order to reimburse him for this loss, the Divisional Govt. ordered in 1861 that the Inamdar should get an equal amount annually from the toddy-Contractors as Compensation for the use of the date-trees standing on this strip of the Inam village. It is also on record that the Inamdars from about the year 1864 were endeavouring to obtain similar Compensation from the Govt. Contractors for the date-trees on other portions of the Inam.

4) In 1871-2, the Inam village was surveyed & settled by the Inam Sett. Dept. It was then found that the date-grove on the 14 odd Candies of land in question was a part of the Inam, and the Inam Sett. Govt. was held, on the authority of Govt. Bo. No. 16 of the 13th February 1871, that the date-grove in question was to be excluded from the Inam farm & the Inamdars should be permitted to lease them out to the Govt. Contractors. This decision was upheld by the Supdt. of the Inam Settlements & the Inam was confirmed, subject

to the reservation of the Excise revenue due to Govt.

5) About 5 years later, the Inamdar complained of the Govt. Contractor drawing toddy from the date-trees on the land in question without paying him any compensation therefor. But that complaint was rejected by the Dy. Collr. on the ground that this strip of land was, unlike that ~~of the~~ measuring 3 Candies & odd for which such a concession had ~~was~~ been previously granted, not included in the Extent of the Cultivable area yielding revenue to the Inamdar. But the Divisional Collr. decided in June 1877 that, as the Inamdar was not in the Enjoyment of the toddy revenue from the land in question, he came within the Scope of the Chief Collr's Pro:, No: 1291-Rev: 363 of the 20th March 1877, which lays down that Abkari & Sayer, if not Expressly authorized in the Inam Sanad, should be reserved to Govt:, & that such reservation should not, however, preclude the Inamdars from leasing out their date-trees to the Govt: Contractor. ~~Reference under the Govt: Collr's Order is not prejudicial to the interests of the Inamdar to lease out the trees to the~~

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

6) The petitioner, Kumbol Seshappa, complained that the Inamdar ~~had not been~~ was not conceded any title to the toddy revenue under the Sanad, that he was not at any time enjoying it from the time of the grant of the village, ~~and~~ that he had been clandestinely enjoying it ~~of late~~ and that the 14 todd Candies of land on which a date grove stands belongs to Govt.

7) The investigating officer who conducted the Enquiry is of opinion that the Divisional Govt in June 1877 reserved the toddy-revenue to Govt. that the Inamdars were not entitled to anything under that order. He points out that the Inamdars were never before in the enjoyment of their right to lease out their trees to the Govt contractors, that the toddy revenue was reserved to Govt, because the land in question belonged to Govt. He therefore suggests a delimitation of the Inam village. The Govt concurring with this opinion, recommends a resettlement of the Inam village.

8) The Sheristadar Govt, however, thinks that there is no necessity

whatever for the delimitation of the village and holds that the Inamdar is clearly entitled to the tree-rents of the date-grove standing in his Inam just as any occupant or any unprivileged Inamdar.

9). Govt: consider that there is overwhelming evidence as to the date-trees in question having always been the property of the Inamdar. The toddy-grove ~~is~~ is expressly included in the Inam village in the Peymaishee patties of 1806-7. At the time of the Inam Settlement held in 1871-2, the ownership of the inamdar to the toddy trees in the land in question was recognized in specific terms by the Inam deptt: neither the Dy: Coll^r who erroneously held in 1877 that the Inamdar was not entitled to compensation from the Govt: contractor, nor the Divisional Coll^r who ordered on appeal that the abkari revenue should be reserved to Govt; arrive at their decisions on the ground that the land did not belong to the Inamdar. neither are the orders of the Inam deptt: passed at the time of Settlement in 1871-2 and there is not of the Divisional Coll^r in 1877

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

~~are~~ inconsistent with each other nor ~~are~~ they are prejudicial to the interests of the Inamdar ~~to~~ in the matter of his leasing out his date trees to the Govt Contractors. The Proceedings relied on by them, viz. No: 160 of the 13-2-1871 and No: 1291/79 the 2-3-1877, distinctly lay down that the reservation of the right of abkari revenue by Govt does not preclude the Inamdars from leasing their trees to the Govt contractors. The right of the Inamdar has in such cases been distinctly recognized. The fact that the Inamdar slept over his rights & omitted to claim his dues from the Govt contractors earlier does not prevent him from exercising ~~this right~~ them now.

10) In the foregoing reasons, Govt consider that the finding of the investigating Officer, is ~~wholly~~ mis-leading & erroneous and, in concurrence with the recommendation of the Sirsi Govt, they are pleased to recognize the claim of the Inamdar to the tree-rent for the toddy trees in the village.

3-1-1906

Secretary

To the Sirsi Govt with enclosures

Typed 6.1.06

K.S 29/12/05

(9)

Proceedings of the Government of His Highness the Maharaja of Mysore,

READ—

(1) Petition No. 2987, dated the 1st June 1903, from Shanbhog Seshappa of Gurupanhalli in the Goribidnur Taluk, complaining that the Inamdar of Gurupanhalli clandestinely enjoys the toddy revenue of that village.

(2) Letter No. 55, dated the 16th August 1905, from the Excise Commissioner, submitting with his opinion the record of enquiry regarding the claim of the Inamdar to the toddy revenue of that village.

No. Fl. 4455—Ex. F. 34-02-9, dated Bangalore, 11th January 1906.

Order thereon.—The Inam village of Gurupanhalli was granted by Hyder Ali and Tippu Sultan and subsequently confirmed by His Highness the late Maharaja Krishnaraja Wadayar Bahadur. The original sannad and the subsequent orders confirming the Inam did not make any specific mention of the Abkari revenue having been conceded to the grantee.

2. The pymaishee pattis of Akshaya (1806-7) and Sukla (1809-10) show that the extent of the Inam village was seventy-one candies and odd, inclusive of a date grove covering an extent of fourteen candies and odd. The date-trees on this strip of land were all along being tapped by the Government contractors, without any compensation being paid to the Inamdars.

3. Subsequent to the year 1841, an extent of three candies and odd of cultivable land became also overgrown with date trees, in consequence of which the Inamdar sustained a loss of sixteen pagodas annually in the shape of revenue. In order to reimburse him for this loss, the Divisional Commissioner ordered in 1861 that the Inamdar should get an equal amount annually from the toddy contractors as compensation for the use of the date trees standing on this strip of the Inam village. It is also on record that the Inamdars from about the year 1864 were endeavouring to obtain similar compensation from the Government contractors for the date trees on other portions of the Inam.

4. In 1871-2, the Inam village was surveyed and settled by the Inam Department. It was then found that the date grove on the fourteen and odd candies of land in question was a part of the Inam, and the Inam Assistant Commissioner held, on the authority of Government Proceedings No. 16, dated the 13th February 1871, that the date grove in question was to be excluded from the Sirkar farm and that the Inamdars should be permitted to lease them out to Government contractors. This decision was upheld by the Superintendent of the Inam Settlements and the Inam was confirmed, subject to the reservation of the Excise revenue due to Government.

5. About five years later, the Inamdar complained of the Government contractors drawing toddy from the date trees on the land in question without paying him any compensation therefor. But that complaint was rejected by the Deputy Commissioner on the ground that this strip of land was, unlike that measuring three candies and odd for which such a concession had previously been granted, not included in the extent of the cultivable area yielding revenue to the Inamdar. But the Divisional Commissioner decided in June 1877 that, as the Inamdar was not in the enjoyment of the toddy revenue from the land in question, he came within the scope of the Chief Commissioner's Proceedings No. 12917—Rev. 363, dated the 20th March 1877, which lays down that Abkari and Sayer, if not expressly authorized in the Inam Sannad, should be reserved to Government and that such reservation should not, however, preclude the Inamdars from leasing out their date trees to the Government contractors.

6. The petitioner, Shanbhog Seshappa, complained that the Inamdar was not conceded any title to the toddy revenue under the sannad, that he was not at any time enjoying it from the time of the grant of the village, that he has been clandestinely enjoying it of late, and that the fourteen and odd candies of land on which a date grove stands belongs to Government.

7. The investigating officer, who conducted the enquiry, is of opinion that the Divisional Commissioner in June 1877 reserved the toddy-revenue to Government and that the Inamdars were not entitled to anything under that order. He points out that the Inamdars were never before in the enjoyment of the right to lease out their trees to the Government contractors and that the toddy revenue was reserved to Government, because the land in question belongs to Government. He therefore suggests a delimitation of the Inam village. The Deputy Commissioner concurring with this opinion, recommends a resettlement of the Inam village.

8. The Excise Commissioner, however, thinks that there is no necessity whatever for the delimitation of the village and holds that the Inamdar is clearly entitled to the tree rent of the date grove standing in his Inam just as any occupant or any unprivileged Inamdar.

9. Government consider that there is overwhelming evidence as to the date-trees in question having always been the property of the Inamdar. The toddy-grove is expressly included in the Inam village in the pymaishee pattis of 1805-7. At the time of the Inam Settlement held in 1871-2, the ownership of the Inamdar to the toddy trees in the land in question was recognized in specific terms by the Inam Department; neither the Deputy Commissioner, who erroneously held in 1877 that the Inamdar was not entitled to compensation from the Government contractors, nor the Divisional Commissioner who ordered on appeal that the Abkari revenue should be reserved to Government, arrive at their decisions on the ground that the land did *not* belong to the Inamdar. Neither are the orders of the Inam Superintendent passed at the time of settlement in 1871-2 and those of the Divisional Commissioner passed in 1877 inconsistent with each other, nor are they prejudicial to the interests of the Inamdar in the matter of his leasing out the date-trees to the Government contractors. The Proceedings relied on by them, *viz.*, No. 16, dated the 13th February 1871, and No. 12917, dated the 2nd March 1877, distinctly lay down that the reservation of the right of Abkari revenue by Government does not preclude the Inamdars from leasing their trees to Government contractors. The right of the Inamdar has in such cases been distinctly recognized. The fact that the Inamdar slept over his rights and omitted to claim his dues from the Government contractors earlier does not prevent him from exercising them now.

10. For the foregoing reasons, Government consider that the finding of the investigating officer, Mr. George Dunning, is erroneous and, in concurrence with the recommendation of the Excise Commissioner, they are pleased to recognize the claim of the Inamdar to the tree rent for the toddy trees in the village.

B. K. VENKATA VARADA IYENGAR,
Secy. to Govt., Gen. & Rev. Dept.

To—The Excise Commissioner in Mysore with enclosures.

Exd.—C.V.